

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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IN RE: WESTERN STATES
WHOLESALE NATURAL GAS
ANTITRUST LITIGATION,

MDL 1566
CV-S-03-1431-PMP (PAL)
BASE FILE

LEARJET, INC., et al.,

MDL 1566
CV-S-06-233-PMP (PAL)

Plaintiffs,

v.

ORDER

ONEOK, INC., et al.,

Defendants.

Before the Court for consideration is Plaintiffs' Motion to Appoint Separate Lead Counsel for the "Full Consideration Cases" in *Learjet, Inc. et al. v. Oneok, Inc. et al.* and *JP Morgan Trust Co., National Association, in its capacity as Trustee of FLI Liquidating Trust v. The Williams Companies, Inc., et al.*, respectively 2:06-cv-0233-PMP-PAL and 2:05-cv-01331-PMP-PAL. Essentially, Plaintiffs seek to have the law firm of Shughart Thomson & Kilroy, P.C., and other specified counsel designated as co-lead counsel in these two cases and such future "full consideration" cases as may be transferred to this Court by the Judicial Panel on Multidistrict Litigation.

This particular motion for relief is not opposed by Plaintiffs' co-lead counsel in these consolidated MDL actions who were appointed by this Court's Stipulated Case Management Order #2 (#249) entered May 2, 2005. Plaintiffs' Motion, however, is opposed by Defendants (#67).

1 Having considered the arguments of counsel presented in their Motion and
2 Response, and at the hearing conducted February 7, 2007, the Court concludes it is
3 unnecessary to designate new counsel as “co-lead counsel” in these particular cases. It is
4 apparent that the existence of the co-lead counsel designated in the Stipulated Case
5 Management Order #2 has not encumbered (nor has it assisted) the moving Plaintiffs in
6 connection with this case. Rather than create separate categories of co-lead counsel, the
7 Court deems it sufficient to recognize by this Order that counsel for Plaintiffs Learjet, Inc.,
8 et al., and JP Morgan Trust Company National Association, et al., shall not be limited in
9 their representation of their clients by the provisions of paragraph #14 of this Court’s
10 Stipulated Case Management Order #2 (#249).

11 IT IS THEREFORE ORDERED that Plaintiff’s Motion to Appoint Separate
12 Lead Counsel for the Full Consideration Cases (#55) is denied.

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14 DATED: February 12, 2007

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17 PHILIP M. PRO
18 United States District Judge
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